

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA and
STATE OF NEW MEXICO, *ex rel.* STATE ENGINEER,
Plaintiffs,

and

ZUNI INDIAN TRIBE, NAVAJO NATION,
Plaintiffs in Intervention

07cv681 BB/LFG
Zuni River Basin Adjudication
Subproceeding 1
Zuni Indian Claims

v.

A & R PRODUCTIONS, *et al.*
Defendants.

ORDER

THIS MATTER comes before the Court on Vickie L. Gabin's letter of resignation (Doc. No. 307, filed May 16, 2011).

Special Master Gabin has resigned her position as Special Master in this case effective June 30, 2011. Because it may take some time to find a suitable candidate to fill the Special Master position, and because the Court wants to minimize any delays to these proceedings, the Court will refer this case to a Magistrate Judge until it appoints a new Special Master. All matters in this case, as allowed by the provisions of 28 U.S.C. § 636(b)(1) and (b)(3), are hereby referred to the Honorable Lorenzo F. Garcia, United States Magistrate Judge.

Rule 53(b)(1) of the Federal Rules of Civil Procedure provides that "any party may suggest candidates for appointment" of a Special Master. Any parties that wish to suggest a candidate shall, within 14 days of entry this Order, file a notice indicating that they intend to suggest a candidate. *See* Fed. R. Civ. P. 53(a)(3) (In appointing a Special Master, the court must protect against unreasonable expense or delay).

IT IS SO ORDERED.



BRUCE D. BLACK
CHIEF UNITED STATES DISTRICT JUDGE